



**COPY OF PAPER
ORIGINALLY FILED**

Patent Serial No. 10/098,661
Attorney Docket: 261/181

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Katie Messing, et al.

Serial No.: 10/098,661

Filed: March 15, 2002

**For: MEDICAL DEVICE CONTROL
SYSTEMS**

Group Art Unit: 3763

Examiner: Not-Yet-Known

TRANSMITTAL OF MISSING PARTS

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Sir:

I. DOCUMENTS ENCLOSED:

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR § 1.53(f)**, which was mailed by the Patent Office on April 16, 2002, enclosed are:

- ☒ Declaration
- ☒ Power of Attorney: ☒ Separate or ☐ Combined with Declaration
- ☒ Assignment of the invention to SciMed Life Systems, Inc. (together with PTO Form 1595)
- ☒ 23 sheets of Substitute drawings in compliance with 37 CFR 1.84 (g)

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

May 28, 2002

Date of Deposit

Maritza Kidd

Name of Person Mailing Paper

Signature of Person Mailing

- ☒ A copy of the Notice to File Missing Parts of Application under 37 CFR § 1.53(f)
- ☒ Return Postcard.

II. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

| EXTENSION (months) | FEE FOR SMALL ENTITY | FEE FOR OTHER THAN SMALL ENTITY |
|---------------------------------------|-------------------------|------------------------------------|
| <input type="checkbox"/> one month | \$55.00 | \$110.00 |
| <input type="checkbox"/> two months | \$200.00 | \$400.00 |
| <input type="checkbox"/> three months | \$460.00 | \$920.00 |
| <input type="checkbox"/> four months | \$720.00 | \$1,440.00 |
| <input type="checkbox"/> five months | \$980.00 | \$1,960.00 |
| Fee | | \$0.00 |

- ☒ If any extension fee is required, please consider this a petition therefor.

III. FILING FEES

- ☐ Applicant claims small entity status pursuant to 37 CFR 1.27.

| | | | | | | |
|--|-------|-----------------|---|---|-------------------------------------|-----------------|
| BASIC FILING FEE: | | | | | | \$740.00 |
| Total Claims | - | 20 | = | 0 | x \$18.00 | \$0.00 |
| Independent Claims | - | 3 | = | 0 | x \$84.00 | \$0.00 |
| Multiple Dependent Claims | \$280 | (if applicable) | | | <input type="checkbox"/> | \$0.00 |
| Surcharge 37 CFR § 1.16(e) | \$130 | (if applicable) | | | <input checked="" type="checkbox"/> | \$130.00 |
| TOTAL OF ABOVE CALCULATIONS | | | | | | \$0.00 |
| Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. | | | | | | \$0.00 |
| Extension of Time (from above) | | | | | | \$0.00 |
| Assignment -- \$40 (if applicable) | | | | | | \$40.00 |
| TOTAL FEES SUBMITTED HEREWITH | | | | | | \$170.00 |

IV. METHOD OF PAYMENT OF FEES:

- ☒ Checks in the amount of \$130.00 & \$40.00 are enclosed to cover the above fee(s).

- ☐ Charge Lyon & Lyon's Deposit Account No. 12-2475 in the amount of ____.
- ☒ The Commissioner is authorized to charge Lyon & Lyon's Deposit Account No. 12-2475 for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

Dated: 5/28/02

By: DT Burse
David T. Burse
Reg. No. 37,104



22249

PATENT TRADEMARK OFFICE

LYON & LYON LLP
Suite 4700
633 W. Fifth Street
Los Angeles, CA 90071
(213) 489-1600

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 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/098,661 | 03/15/2002 | Katie Messing | 261/181 |

 22249
 LYON & LYON LLP
 633 WEST FIFTH STREET
 SUITE 4700
 LOS ANGELES, CA 90071


CONFIRMATION NO. 5698

FORMALITIES LETTER



OC000000007877709

Date Mailed: 04/16/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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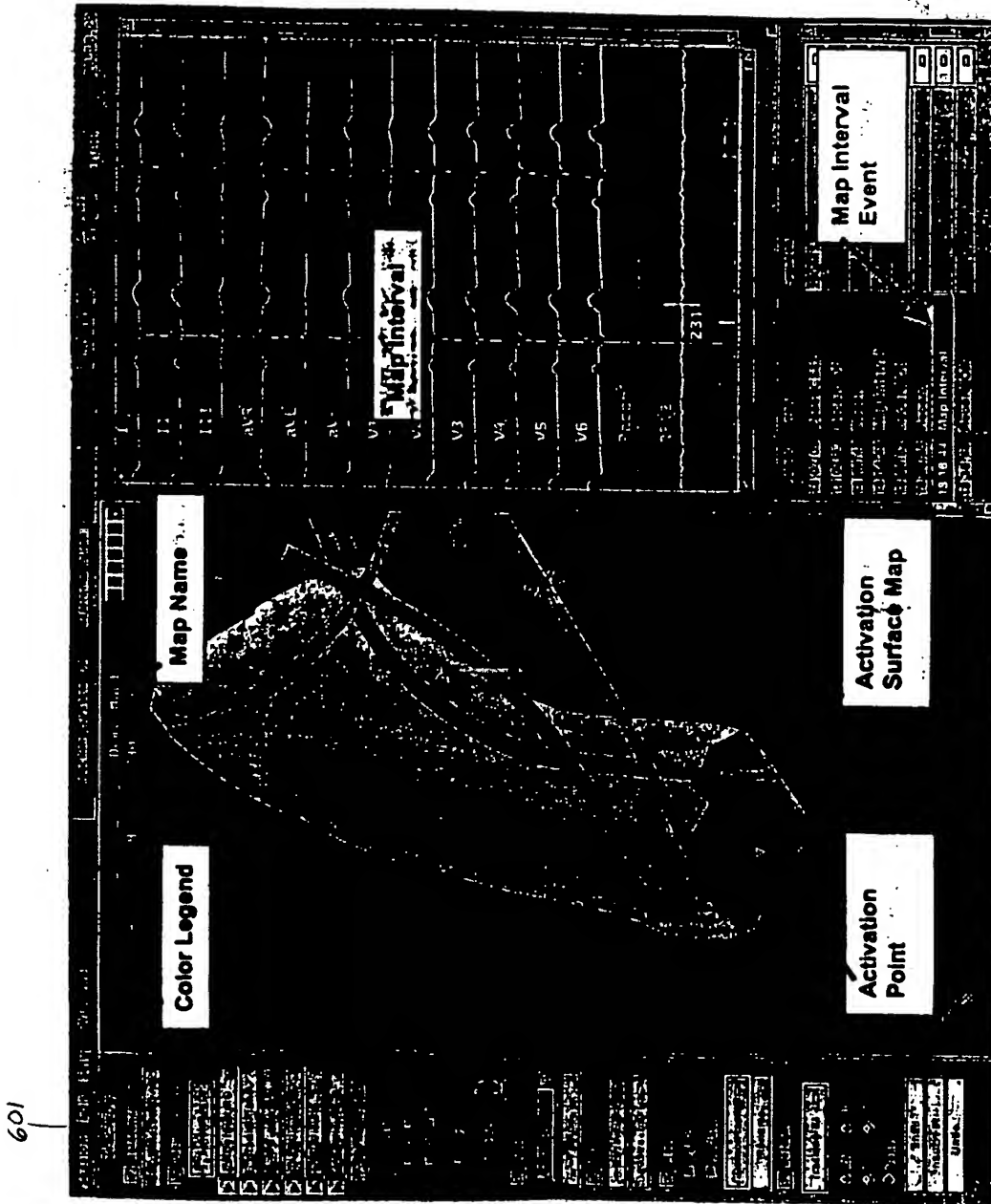


Fig. 5 B